

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

BROOKE ARMBRISTER,  
Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
TREASURY, Puerto Rico and  
Washington D.C.,  
Defendant.

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CIVIL CASE NO. 3:18-CV-0719-N-BK

FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

Pursuant to [28 U.S.C. § 636\(b\)](#) and *Special Order 3*, this case was automatically referred to the United States magistrate judge for judicial screening. The Court granted Plaintiff's motion to proceed *in forma pauperis*, but did not issue process. Upon review of the relevant pleadings and applicable law, and for the reasons that follow, this case should be summarily **DISMISSED WITH PREJUDICE** as frivolous.

I. BACKGROUND

On March 26, 2018, Plaintiff, a pro se litigant and self-described homeless Dallas resident, filed the instant *Complaint* against the United States Department of the Treasury. [Doc. 3](#); [Doc. 5](#). Subsequently, she filed pleadings titled *Petition for Writ of Mandamus*, [Doc. 8](#), *Additional Evidence*, [Doc. 9](#), and *Petition for Writ of Mandamus and Request for Petition to Seal*, [Doc. 10](#). The Court advised Plaintiff that her pleadings did not meet the basic requirements dictated by Federal Rule of Civil Procedure 8(a), and ordered her to submit an amended complaint. Plaintiff instead filed another pleading titled *Petition for Writ of Mandamus*, [Doc. 14](#), and several motions for default judgment and to seal this case, [Doc. 12](#); [Doc. 13](#); [Doc. 17](#); [Doc. 20](#); [Doc. 21](#).

Plaintiff's pleadings are difficult to decipher and nonsensical. By her complaint, Plaintiff requests that all "powers of attorney . . . be restored to me as a Native American under Title [10 sect. 1151] & my uniform commercial code filings . . . ." [Doc. 3 at 1](#). Throughout the 44-page attachment to the complaint, Plaintiff repeatedly states, "I am a Foreign Principal to the U.S. Inc., and I have a Uniform Commercial Code Registration on file with the Secretary of State for an amount of Unlimited credits." [Doc. 3 at 3](#).

By way of further example, in her *Petition for Writ of Mandamus and Request for Petition to Seal*, Plaintiff asserts:

*I AM A LIVING WOMAN, A NATIVE TO THE LAND AND JURE REGALIA IS REVOKED UNDER UCC 2A-505, FOR COMMERCIAL DISHONOR 3-501 BECAUSE ONLY THE LIVING CAN CONTRACT UNDER FEDERAL TITLE 42 U.S.C. 1981, NOT A COMMERCIAL FRANCHISE- WHICH IS USED AS THE SURETY FOR PAYMENTS ATTACHED TO THE UCC CONTRACT TRUST ACCOUNT- WHICH WAS CREATED BY FRAUD UNDER THE BABY MILLER'S ACT, SHEPPARD TOWNER'S ACT, AMONG OTHER THINGS WITH THE DEPARTMENT OF COMMERCE TO PURPORT FOR THE NATIONAL DEBT BY FORMS USED KNOWN AS IFAS.*

*I MODIFIED ALL THESE CONSTRUCTION CONTRACTS TO NON-CONSTRUCTION AND I OWN THEM, BONDS, AND ALL US TREASURY ACCOUNTS, AND COMMERCIAL ENTRIES ATTACHED TO MY SERIAL NUMBERS. BECAUSE THIS IS A STATE AGENCY, UNDER ARTICLE III OF THE CONSTITUTION I WRIT OF MANDAMUS THE SUPREME COURT TO HEAR MY RIGHTS AND MY INVOKING OF SUI JURIS STATUS AS A FOREIGN PRINCIPAL AND UNDER ARTICLE IV-MY RIGHTS HAVE BEEN CONTINUOUSLY VIOLATED UNDER FEDERAL TITLE 18 U.S.C. 242 KNOWN AS DEPRIVATION OF RIGHTS UNDER COLOR OF LAW BY CONSENSUS BUREAU RECLASSIFIED ERRONEOUSLY, WHEN I HAVE NATIVE AMERICAN BLOOD IN ME, JUS SOLI. BOTH MY GREAT GRANDFATHERS WERE 100% NATIVE TO THE LAND/AMERICAN'S.*

*I AM THE EXECUTRIX AND I HAVE AN EXECUTOR IF NECESSARY BEFORE THE ECCLESIASTICAL AND CANONICAL LAW.*

[Doc. 10 at 1](#).

Also, in her *Addendum to Pleading/Claim and Default Judgment*, Plaintiff adds:

I want my bond letters returned to me located at the Attorney General's Office, at the State Capital for Texas and Michigan- known as the municipal bond trader, for

my own asset and Collateral Deposit for my own Corporate Trust account in private banking- to be used in Order to, Secure Deposit Loans in/ from equitable bonds, for my own Wealth Management accounts as Grantor/Guarantor identified by serial/registration numbers on Texas UCC and Michigan- UCC. The US Department of the Treasury, already honored my modifications because the FBI told me directly by Artificial Intelligence, this record of fact cannot be challenged. DEFAULT JUDGMENT, so ORDERED, 04/16/2018, upon signing by the Deputy Clerk.

I know we are under Bankruptcy, of 1933 and hence trust laws, no one has the right to own any of my real or personal property anywhere without my verbal or written permission. Jure Regalia revoked and Sui Juris invoked. These contracts were created under the Baby Miller's Act by Fraud originated at The Bureau of Fiscal Services in signed Contracts by someone not my Fiduciary appointed or my guardian. My Executor is not the United States of America, he is a living man, and my Bond Modifications are to be HONORED here in this public agency the same, to the Crown. I am a free Native American woman and the Federal Reserve in Chicago released my accounts for UNRESTRICTED and OPEN Use which is connected to my UCC Contact Trust account authenticated By the FBI and UCC Contact Trust Division in Washington D.C.

I am being protected by the USSS, The Military, and the FBI, in Washington and Downtown Dallas, please contact the Special Agent in Charge, The Mr. Eric Jackson for questions or concerns, forever. I am very important to people in the FBI, The Federal Government, and Congress. I am to participate in philanthropy forever and help law enforcement because I am a Federal Agent and I work for the Federal Reserve in Chicago with Mrs. Knopse to help people who are below the poverty limit- she already accepted my modifications of contract along with The Mr. Steven Mnuchin, Secretary of the Treasury in March of 2017.

Doc. 17 at 1-2.

Plaintiff's remaining pleadings allege similar unintelligible claims regarding the FBI, "Artificial Intelligence," the UCC, the U.S. Treasury Department and other government agencies. Doc. 21 at 1; Doc. 21 at 1-2.

## II. ANALYSIS

Because Plaintiff is proceeding *in forma pauperis*, her complaint is subject to screening under 28 U.S.C. § 1915(e)(2)(B). That statute provides for the *sua sponte* dismissal of a

complaint if the Court finds that it (1) is frivolous or malicious, (2) fails to state a claim upon which relief may be granted, or (3) seeks monetary relief against a defendant who is immune from such relief. A complaint is frivolous when it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). A court may dismiss a complaint as frivolous when it is based on an indisputable meritless legal theory or when the factual contentions are “clearly ‘baseless.’” *Denton v. Hernandez*, 504 U.S. 25, 32 (1992). The latter category encompasses allegations that describe “fanciful, fantastic, and delusional” scenarios, or that “rise to the level of the irrational or the wholly incredible.” *Id.* at 33.

The Court must always liberally construe pleadings filed by *pro se* litigants. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (noting *pro se* pleadings “must be held to less stringent standards than formal pleadings drafted by lawyers”); *Cf. FED. R. CIV. P. 8(e)* (“Pleadings must be construed so as to do justice.”). Even under this most liberal construction, however, Plaintiff’s factual contentions are legally and factually frivolous.

First, Plaintiff’s claims lack an arguable basis in law. Plaintiff has presented no supporting legal authority for the claims she asserts. Second, her factual contentions are clearly baseless, as she has not presented a logical set of facts to support any claim for relief. *See Denton*, 504 U.S. at 33. Moreover, her allegations of involvement with the FBI, the Federal Reserve, “Artificial Intelligence,” and other federal agencies are not rational or credible. Accordingly, Plaintiff’s complaint should be dismissed with prejudice as frivolous.<sup>1</sup>

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<sup>1</sup> The Court recently dismissed with prejudice another *pro se* action filed by Plaintiff, finding that the complaint lacked a logical set of facts. *See Armbrister v. Velasquez*, No. 3:18-CV-841-G-BN (N.D. Tex. Apr. 18, 2018) (accepting magistrate judge’s recommendation).

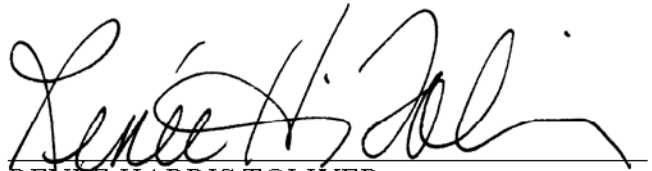
### III. LEAVE TO AMEND

Ordinarily, a *pro se* plaintiff should be granted leave to amend her complaint prior to dismissal. However, leave to amend is not required when plaintiff “has already pleaded his ‘best case.’” *Brewster v. Dretke*, 587 F.3d 764, 767-68 (5th Cir. 2009). As discussed herein, As explained herein, Plaintiff’s claims (as best the Court can decipher them) are fatally infirm. Thus, granting leave to amend under these circumstances would be futile and cause needless delay.

### IV. CONCLUSION

For the foregoing reasons, Plaintiff’s complaint should be summarily **DISMISSED WITH PREJUDICE** as frivolous. *See* 28 U.S.C. § 1915(e)(2)(B).


**SO RECOMMENDED**, June 20, 2018.



RENEE HARRIS TOLIVER  
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND  
NOTICE OF RIGHT TO APPEAL/OBJECT**

A copy of this report and recommendation will be served on all parties in the manner provided by law. Any party who objects to any part of this report and recommendation must file specific written objections within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). To be specific, an objection must identify the finding or recommendation to which objection is made, state the basis for the objection, and indicate the place in the magistrate judge's report and recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996), *modified by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending the time to file objections to 14 days).

  
RENEE HARRIS TOLIVER  
UNITED STATES MAGISTRATE JUDGE